

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DONALD JAMES ENGEL,)
Petitioner,) Case No. C05-1015-JLR
v.) (CR04-0138-JLR)
UNITED STATES OF AMERICA,) ORDER OF DISMISSAL
Respondent.)
_____)

The Court, having reviewed petitioner's 28 U.S.C. § 2255 motion, the government's response, petitioner's reply, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, any objections thereto, and the remaining record, does hereby ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's 28 U.S.C. § 2255 motion (Dkt. #1) is DENIED, and this action is dismissed with prejudice.
- (3) The Clerk is directed to send a copy of this Order to petitioner, to counsel for respondent, and to Judge James P. Donohue.

DATED this 3rd day of October, 2005.

s/James L. Robart

JAMES L. ROBART
United States District Judge

ORDER DENYING § 2255 MOTION